

DISTRICT COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

CAONA JARVIS,

Plaintiff,

2005-CV-0077

v.

**PREMUDA, S.p.A., owner and owner
pro hac vice of the Vessel FOUR ETOILES,**

Defendant.

**TO: John K. Dema, Esq.
Chetema Lucas Francis, Esq.**

**ORDER DENYING DEFENDANT'S MOTION FOR RECONSIDERATION FO
COURT ORDER DATED SEPTEMBER 21, 2007**

THIS MATTER came before the Court upon Defendant's Motion For Reconsideration of Court Order Dated September 21, 2007 (Docket No. 176). Plaintiff filed an opposition to said motion. The time for filing a reply has expired.

Having reviewed the submissions of the parties, nothing therein persuades the Court that its previous order requires modification or reversal. Pursuant to Local Rule of Civil Procedure 7.4, parties may seek reconsideration of an order issued by a judge or magistrate judge of this Court based upon "1. intervening change in controlling law; 2. availability of new evidence, or; 3. the need to correct clear error or prevent manifest

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injustice." LRCi 7.4. Defendant states that "reconsideration is warranted to correct clear error and prevent manifest injustice" Motion at 2.

Defendant argues that it produced all documents responsive to Plaintiff's discovery requests. However, the order at issue, Order Regarding Plaintiff's Motions For Sanctions and to Deem Conceded (Docket No. 173), entered September 21, 2007, found that Defendant had a duty to produce *all* maintenance logs of the vessel Four Etoiles. Order at 2-3. Thus, the fact that Defendant produced certain documents it deemed responsive to Plaintiff's Request For Production Nos. 19, 21, and 24, does not constitute compliance with the Court's said order, nor does it demonstrate how the Court's finding to regarding Defendant's duty to produce all logs was erroneous. Consequently, the Court finds that Defendant has failed to show clear error or manifest injustice.

Accordingly, it is now hereby **ORDERED** that Defendant's Motion For Reconsideration of Court Order Dated September 21, 2007 (Docket No. 176) is **DENIED**.

ENTER:

Dated: November 15, 2007

_____/s/
GEORGE W. CANNON, JR.
U.S. MAGISTRATE JUDGE